

1
2
3
4
5
6
7 EDWARD BLASCO,
8 Plaintiff,
9 v.
10 KEURIG GREEN MOUNTAIN, INC., et al.,
11 Defendants.

12 Case No. 15-cv-02766-VC
13
14
15
16
17
18
19
20
21
22
23

**ORDER GRANTING MOTIONS TO
CONSOLIDATE, APPOINTING LEAD
PLAINTIFFS, AND APPROVING LEAD
COUNSEL**

Re: Dkt. Nos. 15, 22, 27, 33, 37

EDWARD JAZLOWIECKI,
Plaintiff,
v.
KEURIG GREEN MOUNTAIN, INC., et al.,
Defendants.

Case No. 15-cv-03396-BLF (VC)

KAMLESH PATEL,
Plaintiff,
v.
KEURIG GREEN MOUNTAIN, INC., et al.,
Defendants.

Case No. 15-cv-03715-WHO (VC)

The motions to consolidate cases 15-cv-02766-VC, 15-cv-03396-BLF, and 15-cv-03715-WHO are granted. The lead case will be 15-cv-02766-VC.

Under the PSLRA, a court presumes that the lead plaintiff in a securities class action should be the moving person or group that has the largest financial stake in the case and otherwise satisfies Rule 23. 15 U.S.C. § 78u-4(a)(3)(B)(iii)(I). Here, the movants primarily disagree about

United States District Court
Northern District of California

1 the class period the Court should use to determine who has the largest financial stake. Two
2 potential lead plaintiffs, Arkansas Public Employees' Retirement System and Asbestos Workers
3 Philadelphia Pension Fund, urge the Court to use the class period alleged in the Blasco Complaint
4 – February 4, 2015 through May 14, 2015. Movants Jessica Lee, Alan Schlussel, and Lawrence E.
5 Wilder assert that the Court should use the longer class period alleged in the Patel Complaint –
6 November 19, 2014 through August 5, 2015. Reviewing the complaints at this early stage of the
7 case, the Court finds that longer period alleged in the Patel Complaint is not obviously
8 implausible. In light of this longer class period, the Lee, Schlussel, and Wilder group has the
9 largest financial stake in the case and is the presumptive lead plaintiff.

10 The other two movants challenge the appointment of the Lee, Schlussel, and Wilder group
11 on various other grounds, but their papers and their arguments at the motion hearing fail to rebut
12 the presumption that the Lee, Schlussel, and Wilder group is the most adequate lead plaintiff.

13 The Court appoints the Lee, Schlussel, and Wilder group lead plaintiff and approves
14 Glancy, Prongay & Murray LLP and The Rosen Law Firm, P.A., as co-lead counsel. The parties
15 should submit a schedule for the filing of a consolidated amended complaint and defendants'
16 response within 7 days of this order.

17 **IT IS SO ORDERED.**

18 Dated: September 28, 2015



19
20 VINCE CHHABRIA
21 United States District Judge
22
23
24
25
26
27
28